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Counsel Denies

CIA Link to B26 Flights

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BUFFALO, N.Y. The general counsel of the Central Intelligence Agency denied under oath here today that the CIA had anything to do with the flight of seven B26 bombers to Portugal last year.

Moments after Lawrence R. Houston, CIA general counsel, had completed his testimony, attorneys for the two men accused of conspiring to smuggle the planes out of the United States rested their cases.

After brief rebuttal testimony for the prosecution, the case was expected to go to a jury of 10 men and two women tomorrow.

Houston's denial came in response to questions under cross-examination by U.S. Attorney John T. Curtin. The main defense contention of one defendant, John Richard Hawke, has been that he was working for the CIA.

"Your investigation has revealed that the CIA in no way helped the flight of these airplanes from the USA?" Curtin asked.

"That is correct, sir," Houston replied.

Earlier this afternoon, Federal District Judge John O. Henderson had blocked a question from Hawke's attorney, Edwin Marker, who asked if Houston would tell other than the truth under oath if he had

been ordered to do so.

When Houston took the stand as a subpoenaed witness for the defense on Friday, he said he had brought with him the CIA's entire file on the case, which consisted of four intelligence information cables.

Under questioning by Marger, two of the cables were admitted into evidence, but the other two were not before the defense rested.

The first cable indicated that the CIA had raw, unevaluated information about the proposed shipment of the aircraft four days before the first plane took off.

The second cable, introduced into evidence this afternoon, was disseminated to a number of government agencies on July 8, 1965. It reported on information received by the CIA to the effect that four or five B26s had been delivered by July 1.

"The French government has agreed to look the other way during this transaction," the CIA cable said.

Under cross-examination, Houston emphasized that the CIA's sources of information are both good and bad — "They range the full gamut."

On trial with Hawke, who flew seven B26s to Portugal, is Henri Marin de Montmarin, a French count and airplane dealer who allegedly acted as go-between in the deal.

The decision of Marger not to put his client, a bearded ex-Royal Air Force fighter pilot, on the stand in his own defense appeared to come as an abrupt surprise to the prosecution.

Edward Brodsky, attorney for de Montmarin, produced only one witness in defense of his client.